

## REMARKS

In view of the Advisory Action of October 13, 2010, an RCE has been filed to further amend claims.

In continuation of 11 of the Advisory Action, claims 1 and 8 were rejected under 35 USC 102(b) as being anticipated by Kinigakis et al.

In view of the rejection, claim 1 is defined such that an opening rim part has a flat upper surface, and a projecting portion is disposed on and projects from the upper surface of the opening rim part. Further, it is clarified that at least a portion of the projecting portion which becomes a heat-sealing-face of the heat seal, comprises an amorphous portion or a lowly crystallized portion and the flat upper surface except for the projection portion is a crystallized opening rim part.

In regard to claim 8, a polyester container comprises an opening rim part having an upper surface, and a projecting portion formed on the upper surface of the opening rim part to form an internal side and an external side of the upper surface relative to the projecting portion. The projection portion comprises a heat sealing resin piece protruding toward and positioned on the interior side of the container.

The upper surface of the external side of the container from the projecting portion is located below the upper surface of the opening rim part on the internal side of the container from the projecting portion; the heat sealing resin piece on the internal side of the container is closely adhered onto the internal side of the container; and a resin lump is formed on the external side of the container from the projecting portion by deforming the projecting portion.

Claims now pending in the application are patentable over the cited reference.

Reconsideration and allowance are earnestly solicited.

Two month extension of time is hereby requested. A credit card authorization form in the amount of \$1300.00 is attached herewith for the two month extension of time \$490.00 and filing RCE \$810.00

Respectfully submitted,

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